

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE DONG-A ILBO,,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
BO H. LIM, et al.	:	
Defendants.	:	NO. 08-2399

ORDER

AND NOW, this 5th day of April 2010, upon consideration of Plaintiff's Notice of Motion to Modify the Order Entered on September 15, 2009 and Lift the Stay as to Non-Debtor Defendants (Docket No. 54), the Motion to Withdraw filed by counsel for Defendants David B. Lim and Korean Daily Tribune, Inc. (Docket No. 58), and the responses thereto, and following a hearing on March 31, 2010, it is hereby ORDERED that both motions (Docket Nos. 54 and 58) are DENIED and the case shall remain STAYED pending further order of the Court.¹

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ At the hearing on March 31, 2010, counsel for Plaintiff The Dong-A Ilbo and counsel for Defendant Bo H. Lim discussed Mr. Lim's pending bankruptcy case in a federal district court in Maryland. Notably, Plaintiff's counsel balked at the suggestion that Mr. Lim could be severed or otherwise dropped from the case before this Court - suggesting that Mr. Lim is the fulcrum, or keystone of this case and that he cannot be effectively "carved out." Under the circumstances, the Court declines to modify the stay as to the non-debtor defendants.

Counsel also informed the Court that Defendant Korean Daily Tribune, Inc. ("KDT") had not filed for bankruptcy, but remains an active corporation whose assets have been sold to another Defendant in this case. Under the circumstances, the Court determines that KDT, as a corporation, cannot proceed in this case without representation.

During the March 31, 2010, hearing, the Court addressed the parties' initial disclosure obligations and the possibility that this case might be resolved outside of court. The Court also noted that it would be willing to entertain a stipulation or a motion for a protective order, in the event that one were submitted to the Court.